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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,783	01/02/2001	Stephen A. Williams	922-119	7475
7590	08/03/2004			EXAMINER
NIXON & VANDERHYE P.C. 8th Floor 1100 North Glebe Rd. Arlington, VA 22201-4714				TRAN, KHAI
			ART UNIT	PAPER NUMBER
			2637	
			DATE MAILED: 08/03/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/750,783	WILLIAMS ET AL.	
	Examiner	Art Unit	
	KHAI TRAN	2637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 16 August 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) _____ is/are rejected.
- 7) Claim(s) 1,3-6 and 8-10 is/are objected to.
- 8) Claim(s) 2 and 7 are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>07/30/01</u> | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 1-10 are objected to because of the following informalities: Appropriate correction is required.

Regarding claim 1, line 8, the term --programmable rejection-- should be inserted before "filter".

Regarding claim 2, line 3, the term --rejection-- should be inserted before "filter"; line 3, the term --said-- should be inserted before "frequency".

Regarding claim 3, line 3, the term --programmable rejection-- should be inserted before "filter"; line 4, the term " the" should be deleted.

Regarding claim 6, line 7, the term --programmable rejection-- should be inserted before "filter" (second occurrence").

Regarding claim 7, line 3, the term --rejection-- should be inserted before "filter"; line 3, the term --said-- should be inserted before "frequency".

Regarding claim 8, line 3, the term --programmable rejection-- should be inserted before "filter"; line 4, the term " the" should be deleted.

Regarding claim 9, line 1, the term --second-- should be inserted before "receiver"; line 3, the term --second-- should be inserted before "receiver".

Claims 4-5, 10 are objected by virtue of their dependency.

Claim Rejections - 35 USC § 112

2. Claims 2, 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 2, line 1, the term "the conversion" lacks antecedent basis.

Regarding claim 7, line 1, the term "the conversion" lacks antecedent basis.

Allowable Subject Matter

3. Claims 2 and 7 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter: none of the prior art of record discloses or suggests that the radio receiving system comprises a programmable rejection filter for the first spread spectrum signal before that signal is despread; and means for controlling the programmable rejection filter in accordance with the code sequence to provide selective attenuation of frequency components which correspond to components in the frequency-hopped signal and are within the bandwidth of the first spread spectrum signal.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Schilling (U.S. Pat. 6,243,370) discloses a personal communication network unit in a spread spectrum code multiple code.

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Nielsen (2002/0006171 A1) discloses a low phase noise frequency converter.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAI TRAN whose telephone number is (703) 305-1876. The examiner can normally be reached on 7:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JAY PATEL can be reached on (703) 308-7728. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Khai Tran
Primary Examiner
Art Unit 2637

KT
July 23, 2004